

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD CHRISTOPHER GALKA,

Plaintiff,

Case No. 11-10271
HON. GEORGE CARAM STEEH

vs.

LAURA GROVER, et al.,

Defendants.

ORDER GRANTING PLAINTIFF'S MOTION FOR THIRTY DAY CONTINUANCE TO
FILE NOTICE OF APPEAL [#25]

On August 16, 2011, this court entered an order granting the defendants' Rule 12(b)(6) motion to dismiss and dismissed the plaintiff's complaint. See Dkt. No. 14. The court's August 16, 2011 order held that plaintiff's complaint "does not contain sufficient factual matter, accepted as true, to state a claim that is plausible on its face." Id. at 14 (citing Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949 (2009)).

Thereafter, on August 29, 2011, the court denied plaintiff's motion for reconsideration of the court's August 16, 2011 order, request to amend complaint and request to stay foreclosure proceedings. The court denied plaintiff's second motion for reconsideration on September 14, 2011. On September 26, 2011, plaintiff filed a motion for thirty day continuance to file notice of appeal.

Plaintiff's September 26, 2011 motion for a thirty day extension to file notice of

appeal was timely filed under Federal Rules of Appellate Procedure 4(A) and 5(A). Further, plaintiff has established good cause for requesting an extension. See Fed. R. App. P. 5(A)(ii). Accordingly, plaintiff's motion for a thirty day extension is GRANTED. Pursuant to Federal Rule of Appellate Procedure 5(C), plaintiff has fourteen days from the date of this order to file his notice of appeal. Plaintiff filed a notice of appeal on November 15, 2011, therefore his notice of appeal was timely filed pursuant to Fed. R. App. P. 5(C).

Accordingly,

Plaintiff's motion for a thirty day extension to file notice of appeal [#25] is GRANTED.

Plaintiff's motion for a fourteen day continuance to file reply to response [#28] is MOOT.

Plaintiff's motion to dismiss his motion for a thirty day continuance to file claim of appeal [#29] is MOOT.

Plaintiff's motion for a thirty day continuance to file his claim of appeal to the Sixth Circuit [#30] is MOOT.

Plaintiff's motion for sanctions [#34] is MOOT.

SO ORDERED.

Dated: November 20, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on November 30, 2011, by electronic and/or ordinary mail and also to Edward Christopher Galka at 8583 Frederick Dr., Washington Township, MI 48094 .

S/Josephine Chaffee
Deputy Clerk